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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,834	01/17/2001	Harold C. Fleischer III	P20344	4921
7055	7590	08/09/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			BUI, BING Q	
			ART UNIT	PAPER NUMBER
			2642	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/760,834

Applicant(s)

FLEISCHER ET AL.

Examiner

Bing Q. Bui

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's Amendment filed on 4/28/2005 has been entered. Claims 1 and 6 have been amended. Claim 5 has been cancelled. No claims have been added. Claims 1-4 and 6-23 are still pending in this application, wherein claims 1, 6, 7, 12, 13, 16 and 20 being independent.

Response to Arguments

2. Applicant's arguments with respect to claims 1-4 and 6-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6-7, 9-10, 12-18, 20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Porter (US Pat No. 6,697,814).

Regarding claim 1, referring to figures 4-10, Porter teaches a method for obtaining call data in a public switched telecommunications network (PSTN), including a service control point (SCP) (e.g., Network Control/Service processor 410) and at least one switch (e.g., switches included in Traffic-Bearing Network 402 of figure 4 derived from Traffic-Bearing Network 110 of figure 1), the method comprising:

receiving a query comprising unformatted calling data (e.g., raw session processing event prior to filtering out) at the SCP from the at least one switch (see col. 7, lns 41-57; and col. 22, lns 25-33; and col. 24, lns 12-13);

sampling the calling data at the SCP (e.g., session event collection is accumulated after filtering out the insignificant event; see col. 7, lns 41-57; and col. 12, ln 45-col. 13, ln 30);

forwarding the unformatted sampled data (e.g., interpretable file shown in figure 5) from the SCP (e.g., Network Control/Service processor 410) to a front end server (e.g., record processor 408a, 408b or storage 440) (see col. 8, ln 61-col. 9, ln 30); and

formatting the sampled calling data as station message detail recording (SMDR) data at the front end server (e.g, reconstructing the events and circumstances associated with a given communications session: billing record, output file or report; see col. 11, ln 56-col. 12, ln 21).

Regarding claims 2-4, 9-10, 14-15, 17-18 and 22, see Porter, figures 4-10; and col. 8, ln 61-col. 19, ln 49.

As to claims 6, 7, 12, 13, 16 and 20, they are rejected for the same reasons set forth to rejecting claim 1.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Porter '814 in view of Sapra et al (US Pat No. 5,940,485).

Regarding claim 8, Porter fails to teach calling data comprises a calling party ID and a called party ID. However, Sapra et al. disclose a telecommunications data interface capable of storing call data records comprising caller ID logging, which reads on calling data comprises a calling party ID and a called party ID (see Sapra et al; col. 2, In 55). Therefore, integrating Sapra's teachings into communication system of Porter would have been obvious for providing a user-friendly identifier that can be checked against ANI data, for example, to ensure consistency and prevent fraud.

8. Claims 11, 19, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porter '814 in view of Mott et al (US PUB 20020094070 A1)

Regarding claim 11, Porter fails to teach an interface comprising an American Standard Code for information interchange (ASCII) interface. However, Mott et al discloses a "telephone use monitoring system and method" that includes a telephone exchange (112a,112b) responsible for sending an SMDR data stream to a site server (108a) (i.e. front end server) via a site server port (144) (i.e. interface) . Furthermore, Mott et al. teaches that such SMDR data streams may be constructed in an ASCH data format. Therefore, integrating Mott's teachings into communication system of Porter would have been obvious for providing an interface that is widely accepted, and hence would promote interoperability of network elements.

Regarding claim 19, Mott et al. further discloses the use of a site server compiler (Fig. 2 item 120a). The site server 108a (i.e. front end server) discussed above sits between the telephone exchange (i.e. SSP) (112a) and the site server compiler (120a) (i.e. host central processing unit). The site server compiler receives SMDR data and from the telephone exchange and converts it to a universal database format according to "knowledge of the communication format and protocol of the telephone exchange" (i.e. calling report generated from the SMDR formatted is customized according to instructions received by said host central processing unit).

Regarding claims 21 and 23, see Porter in view of Mott et al. as applied above.

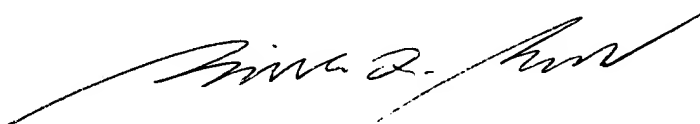
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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (571) 272-7482. The examiner can normally be reached on Monday through Thursday from 7:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300 and for formal communications intended for entry (please label the response ☐EXPEDITED PROCEDURE☐) or for informal or draft communications not intended for entry (please label the response "PROPOSED" or "DRAFT").

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

01 August 2005



BING Q. BUI
PRIMARY EXAMINER